

EXHIBIT H

From: Walton, David
Sent: Friday, May 15, 2020 5:43 PM
To: Seth Carson
Cc: Bill Rieser; Cavalier, Jonathan; Benson, Leigh Ann; Sidney Gold
Subject: Re: Confidentiality Agreement

Seth

We can schedule depositions and we are more than willing to do that, but we are not producing anyone until we have a confidentiality agreement. I'm really perplexed by your resistance to our proposed agreement.

Dave Walton
Sent from my iPhone

On May 15, 2020, at 5:34 PM, Seth Carson <seth@dereksmithlaw.com> wrote:

****EXTERNAL SENDER****

I believe that Judge Kearny is going to agree that your clients have to appear for their depositions which the parties worked hard to schedule and have been properly noticed and which Defendants assured the court were taking place when Defendants asked the court for more time. Defendants presented this information to the court and then 5 minutes later are attempting to cancel the depositions and reschedule them for weeks later?

Your clients can't decide they won't participate in this litigation because they want Plaintiff to agree to a protective order.

I usually do not mind rescheduling depositions. If you can confirm dates for all depositions in this case by Monday morning I will consider the new dates. I need every deposition scheduled. This includes:

1. Greg Roman
2. Mark Fink
3. Daniel Pipes
4. Matthew Bennett
5. Steven Levey
6. Laurence Hollin
7. 30(b)(6) on Defendants policies, procedures, and protocols for investigating, responding to, addressing, enforcing, implementing Defendants' antidiscrimination policy.

I want to work with you and I am not trying to be difficult. But I planned my entire week around these depositions and canceled a bunch of other stuff to clear my schedule. Are you suggesting that the depositions should be rescheduled for the week of June 1 to June 5 or June 8 to June 12?

I am available anytime within that 10 work day period of time. June 1, 2, 3, 4, 5, and 8, 9, 10, 11, 12.

So if we can get everyone rescheduled ASAP for those dates, I will agree.

Seth D. Carson, Esquire
Derek Smith Law Group, PLLC
1835 Market Street
Suite 2950
Philadelphia, PA 19103
Phone: 215.391.4790
Facsimile: 215.893.5288
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From: Seth Carson <seth@dereksmithlaw.com>
Sent: Friday, May 15, 2020 5:17 PM
To: Walton, David <DWalton@cozen.com>
Cc: Bill Rieser <brieser@discrimlaw.net>; Cavalier, Jonathan <JCavalier@cozen.com>; Benson, Leigh Ann <LBenson@cozen.com>; Sidney Gold <sgold@discrimlaw.net>
Subject: Re: Confidentiality Agreement

I don't agree and I am going to file a motion to compel the depositions.

Seth D. Carson, Esquire
Derek Smith Law Group, PLLC
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From: Walton, David <DWalton@cozen.com>
Sent: Friday, May 15, 2020 4:31 PM
To: Seth Carson <seth@dereksmithlaw.com>
Cc: Bill Rieser <brieser@discrimlaw.net>; Cavalier, Jonathan <JCavalier@cozen.com>; Benson, Leigh Ann <LBenson@cozen.com>; Sidney Gold <sgold@discrimlaw.net>
Subject: Confidentiality Agreement

Seth:

As we discussed previously (including yesterday), we will not produce witnesses until and unless we have a satisfactory confidentiality agreement in place. Because there is still no confidentiality agreement (despite our numerous attempts since February to secure such an agreement), we will not be producing our witnesses for their depositions next week. If you sign the confidentiality agreement, we will be able to produce our witnesses during the week after next. But, to be clear, the depositions next week are now off and will be rescheduled pending resolution of the issues involving the confidentiality agreement.

Best,

Dave

Sent from my iPad

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